

KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

601 Lexington Avenue
New York, NY 10022
United States

+1 212 446 4800

www.kirkland.com

Joshua L. Simmons
To Call Writer Directly:
+1 212 446 4989

Joshua.Simmons@kirkland.com

Facsimile:
+1 212 446 4900

December 21, 2022

Via ECF

Hon. Vincent L. Briccetti
United States District Court for the
Southern District of New York
Federal Building and United States Courthouse
300 Quarropas Street, Room 630
White Plains, NY 10601

Re: *IBM Corp. v. Micro Focus Int'l plc*, No. 22 Civ. 9910 (S.D.N.Y.)

Dear Judge Briccetti:

On December 9, 2022, Defendant Micro Focus (US) (“Micro Focus US”) filed a Motion to Disqualify (the “Motion”), which seeks to disqualify Kirkland & Ellis LLP (“K&E”) from representing Plaintiff IBM Corp. (“IBM”) in the above-referenced matter. Dkt. No. 22.

K&E’s opposition to the Motion is due on December 23, 2022. K&E respectfully requests until January 13, 2023 to consider the lengthy Motion fully and prepare its opposition, particularly in light of the Christmas and New Year’s holidays. This is K&E’s first request.

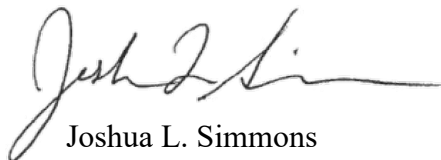
K&E respectfully submits that this request should be granted for at least two reasons. First, the Motion asserts allegations of conflicts of interest by K&E that K&E believes are without merit, and to which it intends to provide a fulsome response. Second, the Motion and its lengthy supporting materials discuss multiple K&E representations dating back to 2016, such that responding to the Motion requires significant work preparing a responsive brief and declarations.

On December 20, 2022, K&E contacted counsel for Micro Focus US via telephone and e-mail to determine whether Micro Focus US opposes this request. As of the filing of this letter, counsel for Micro Focus US has not responded. K&E will file a supplemental letter in the event Micro Focus US provides its position on this request, but given the timing, K&E wanted to get its request to the Court promptly.

KIRKLAND & ELLIS LLP

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Josh L. Simmons", with a long horizontal flourish extending to the right.

Joshua L. Simmons

cc: Counsel of record (via ECF)